

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

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In re:	)	CHAPTER 11 CASES
	)	
NGV GLOBAL GROUP, INC., et al. <sup>1</sup>	)	CASE NO. 22-42780-MXM-11
	)	
	)	(Jointly Administered)
DEBTORS	)	
_____	)	

**DECLARATION OF BRIAN L. BROWN IN SUPPORT OF  
AWARD OF CONTEMPT SANCTIONS TO MIKE ALBERT LTD.**

I, Brian L. Brown, on this 7th day of April, 2023, hereby declare and state as follows:

1. I am Chief Operating Officer of Mike Albert, Ltd. ("MAL"). I am over the age of 18 and authorized to make this Declaration on behalf of MAL in conjunction with its Motion to Hold Debtors and Farrouhk Zaidi in Contempt. The statements contained herein are true and correct to the best of my personal knowledge and belief, and if called to testify in this matter, I would competently testify thereto.

2. In my role as Chief Operating Officer, I am familiar with the record keeping practices of MAL and its affiliates, including procedures and practices relating to accounting for the receipt of payments, charges made to customer accounts and the calculation of balances due on customer accounts. In addition, I am specifically familiar with the status of the Debtors' return of the Vehicles that are subject to the leases between MAL and Natural Gas Supply, LLC and Natural Gas Logistics, Inc.

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<sup>1</sup> I The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number are: NGV Global Group, Inc. (9723), Natural Gas Vehicles Texas, Inc. (8676), Natural Gas Supply, LLC (4584) and Natural Gas Logistics Inc. (5403).

3. I submit this Declaration pursuant to this Court's *Order Granting in Part Mike Albert Ltd.'s Renewed Motion to Hold Debtors and Farroukh Zaidi in Contempt* entered herein on March 31, 2023 [Doc. 240] ("Order"). Capitalized terms not otherwise defined in this Declaration are intended to have the meanings assigned to them in the Order.

4. Specifically, this Declaration will provide below: (a) the costs and expenses that MAL has incurred on or after March 1, 2023 through April 6, 2023 to retrieve the Vehicles that the Debtors did not return to the Designated Locations by February 28, 2023 (the "Retrieval Costs"); and (b) for each Vehicle that the Debtors continued to use on or after March 1, 2023, a daily rental charge from March 1, 2023 until such Vehicle was returned to the Designated Locations or retrieved by MAL ("Rental Charges").

5. I first note that the Retrieval Costs and Rental Charges set forth in this Declaration are current as of April 6, 2023. **As of that date, the Debtors still had not returned, and continue to use nine (9) Vehicles.** In light of MAL's perception that Debtors' financial condition is deteriorating, MAL submits this Declaration, and the Declarations of Robert G. Sanker and Patrick Lynch, now without prejudice to supplementing its submissions when the Debtors have fully complied with the Court's Order "to immediately return all Vehicles to the Designated Locations".

6. Attached hereto as Exhibit A is a list of Retrieval Costs as of April 6, 2023 that MAL has incurred, or anticipates that it will incur. These Retrieval Costs consist of (a) charges actually incurred by MAL to tow Vehicles that the Debtors surrendered but did not return to the Designated Locations as required by the Order, which towing charges will be charged by the auction company against the auction proceeds, and (b) anticipated towing charges for the Vehicles that the Debtors have surrendered, but MAL has not yet been able to arrange to be towed to the Designated Locations. Vehicles on Exhibit A that show a towing charge of \$0 are Vehicles that

the Debtors returned to one of the Designated Locations themselves, as required by the Order. The total Retrieval Costs incurred or anticipated by MAL as of April 6, 2023 is **\$20,700**.

7. Attached hereto as Exhibit B is a list of Rental Charges<sup>2</sup> for all Vehicles that were used by the Debtors on or after March 1, 2023, through the date that (a) such Vehicle was returned to one of the Designated Locations; or (b) MAL received the purchase price for such Vehicle by a private sale to the Debtors, an affiliate of the Debtors or a third party identified by the Debtors. The total Rental Charges incurred by MAL as of April 6, 2023, for Vehicles that were used by the Debtors after March 1, 2023, but have been surrendered, returned or purchased is **\$151,438**.

8. MAL calculated the Rental Charge for each Vehicle on Exhibit B from March 1, 2023, until (a) the date that MAL received the purchase price for the Vehicle, or (b) the Vehicle was checked in at one of the Designated Locations. For example, a Vehicle that was returned to a Designated Location on March 15, 2023, or for which MAL received the purchase price on March 15, 2023, would incur a Rental Charge for 14 days.

9. Attached hereto as Exhibit C is a list of nine (9) Vehicles that the Debtors have not surrendered, returned or purchased, **and continue to use**. For each of these Vehicles, the Debtors advised MAL that they have identified third party purchasers for the Vehicles, but as of April 6, 2023, those purchasers have not purchased the Vehicles and the Debtors have not returned them to the Designated Locations. Exhibit C reflects the Rental Charges on these Vehicles through April 6, 2023. The total Rental Charges for these Vehicles as of April 6, 2023, is **\$47,989**, and will continue to accrue at the rates indicated on Exhibit C until the Debtors return these Vehicles to the Designated Locations or the proposed purchasers purchase those Vehicles.

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<sup>2</sup> The Rental Charges for all Vehicles reflected in this Declaration are calculated using the daily rate set forth for each Vehicle in Exhibit 7 that was admitted into evidence at the March 23, 2023 hearing on MAL's Renewed Motion for Contempt ("Hearing").

10. Vehicles listed on Exhibits B or C are not all of the Vehicles that the Debtors did not return to the Designated Locations by February 28, 2023. MAL has included on Exhibits B and C only Vehicles that (i) were not returned to the Designated Locations by February 28, 2023; and (ii) MAL has direct evidence that the Debtors continued to use those Vehicles on and after March 1, 2023, or the Debtors have indicated to MAL that they intended to arrange for the purchase of those Vehicles so that they could continue to use them in their business. Accordingly, Vehicles listed on Exhibits B or C are:

(a) Vehicles that MAL sold after March 1, 2023 by private sale to an affiliate of the Debtors or a third party purchaser identified by the Debtors;

(b) Vehicles that the Debtors have expressed to MAL after March 1, 2023, an intent to or interest in purchasing;

(c) Vehicles that MAL could determine were actually used on or after March 1, 2023, by reference to Samsara telematics data.

11. Attached as Exhibit D are four (4) Vehicles that were among the five (5) Vehicles identified by the Debtors at the Hearing as stolen<sup>3</sup>. The Court's Order required the Debtors to file and provide to MAL copies of police reports and insurance claims for the Stolen Vehicles. Debtors provided copies of filed police reports on March 29, 2023, **but have not provided copies of filed insurance claims for the Stolen Vehicles as of the date of this Declaration.** Exhibit D reflects the Rental Charges on the four (4) remaining Stolen Vehicles from March 1, 2023, through April 6, 2023. The total Rental Charges for these Stolen Vehicles as of April 6, 2023, is **\$22,644**, and will continue to accrue at the rates indicated on Exhibit C until Debtors provide to MAL copies of insurance claims that have actually been filed with their insurer.

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<sup>3</sup> The Debtors identified five (5) Vehicles as stolen. On March 30, 2023, the Debtors advised MAL that one of those Vehicles had been found, and advised MAL of the location where that found Vehicle could be retrieved.

12. To summarize, as of April 6, 2023, the Retrieval Costs and Rental Charges as of April 6, 2023 are:

Retrieval Costs:	\$20,700
Rental Charges for Vehicles that were Surrendered, Returned or Sold:	\$ 151,438
Rental Charges for Vehicles that have not been Surrendered, Returned or Sold:	\$47,989
Rental Charges for Stolen Vehicles for which no insurance claim has been filed:	\$22,644
<b>Total:</b>	<b>\$242,771</b>

13. As explained above, the total Rental Charge that continues to accrue for Vehicles that the Debtor **continues to use** from and after April 6, 2023, is **\$1,297** per day. The total Rental Charge for the Stolen Vehicles for which the Debtor **has not filed an insurance claim** is **\$612** per day until the Debtors provide to MAL copies of the filed insurance claims..

*[Signature Page Follows]*

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the statements  
in the foregoing Declaration are true and correct.

*Brian L. Brown*

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Brian L. Brown

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**EXHIBIT A**

**EXHIBIT A—RETRIEVAL COSTS**

VIN	Year	Make	Model	Total Charges:	Notes	Anticipated Charges	Notes
118796X1	2017	Trailer	Quantum			\$2,000	tow
1FDNF6AN2NDF08919	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNF6AN6NDF08924	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNF6AN8NDF08925	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNF6AN9NDF08917	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNF6ANXNDF08912	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNX6AN1NDF05278	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNX6AN1NDF05281	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNX6AN2NDF05273	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FDNX6ANXNDF05277	2022	FORD	F650 SUPER	\$0	NGV Dropped Off		
1FUBC5DX6DHF85121	2013	Freightliner	MAFS116			\$400	tow
1FUBC5DX7DHF85130	2013	Freightliner	MAFS116			\$400	tow
1FUBGAD90FLFX6743	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD92FLFX6744	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD94ELFP0586	2014	FRHT	CASCADIA 1	\$400	tow		
1FUBGAD94FLFX6731	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD94FLFX6745	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD95ELFW1721	2014	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD96FLFX6732	2015	FRHT	CASCADIA 1	\$400	tow		
1FUBGAD96FLFX6746	2015	FRHT	CASCADIA 1	\$400	tow		
1FUBGAD99FLFX6742	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGAD9XFLFX6748	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUBGBD91ELFV2424	2014	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUJGBD90GLHH8349	2016	FRHT	CASCADIA 1	\$400	tow		
1FUJGBD91ELFT5473	2014	FRHT	CASCADIA 1	\$400	tow		
1FUJGBD91ELFW7968	2014	Freightliner	C1			\$400	tow
1FUJGBD91FLFY2648	2015	FRHT	CASCADIA 1	\$0	NGV Dropped Off		
1FUJGBD91GLHH8330	2016	FRHT	CASCADIA 1	\$400	tow		
1FUJGBD92FLFY2657	2015	FRHT	CASCADIA 1	\$400	tow		
1FUJGBD93ELFW7972	2014	Freightliner	1296			\$400	tow



**EXHIBIT B**

**EXHIBIT B-TRUCKS RETURNED, RETRIEVED OR PURCHASED****Trucks Returned or Retrieved**

MAFS Unit #	Make	Model	VIN	Daily Rental Rate	Date Truck Secured	Days from 3/1/23 to Secured Date or Today	Total Rental Payment Due	Notes	Did they Purchase?	3/1/23-3/24/23 Miles Driven per Samsara
1028623	2015	Freightliner	Cascadia	1FUJGBD9XFLFY2650	\$ 133	3/28/23	27 \$ 3,591			1,851
1028622	2015	Freightliner	Cascadia	1FUJGBD93FLFY2649	\$ 133	3/24/23	23 \$ 3,059			938
1028621	2015	Freightliner	Cascadia	1FUJGBD91FLFY2648	\$ 133	3/28/23	27 \$ 3,591			25
1038208	2016	Freightliner	Cascadia	1FUJGBD98GLHH8339	\$ 133	3/24/23	23 \$ 3,059			951
1038084	2016	Freightliner	Cascadia	1FUJGHD94GLHH8258	\$ 133	3/28/23	27 \$ 3,591			2,957
1038081	2016	Freightliner	Cascadia	1FUJGHD99GLHH8305	\$ 133	3/24/23	23 \$ 3,059			1,984
1045054	2022	Ford	F-650	1FDNX6ANXNDF05277	\$ 153	3/31/23	30 \$ 4,590			7
1047909	2022	Ford	F-650	1FDNF6AN8NDF08925	\$ 153	3/28/23	27 \$ 4,131			21
1042207	2015	Freightliner	Cascadia	1FUBGAD94FLFX6745	\$ 133	3/28/23	27 \$ 3,591			5,218
1042200	2015	Freightliner	Cascadia	1FUBGAD99FLFX6742	\$ 133	3/28/23	27 \$ 3,591			4,138
1032531	2014	Freightliner	Cascadia	1FUJGBD95ELFY5760	\$ 133	3/24/23	23 \$ 3,059			2,109
1036990	2016	Kenworth	T6	1NKYD39X7GJ116629	\$ 133	3/31/23	30 \$ 3,990			107
1029843	2014	Peterbilt	337	1NPVDH9X9ED237040	\$ 133	3/24/23	23 \$ 3,059			2,004
1044911	2016	Volvo	VNL	4V5NC9UG4GN929887	\$ 133	3/26/23	25 \$ 3,325			5,465
1034101	2014	Volvo	VNL	4V5NC9UG5EN147093	\$ 133	3/26/23	25 \$ 3,325			4,071
1043282	2016	Volvo	VNL	4V5NC9UGXGN929893	\$ 133	3/26/23	25 \$ 3,325			2,601
1042202	2015	Freightliner	Cascadia	1FUBGAD94FLFX6731	\$ 153	3/28/23	27 \$ 4,131			1,966
1029836	2014	Freightliner	Cascadia	1FUBGAD95ELFW1721	\$ 133	3/28/23	27 \$ 3,591			1
1037215	2016	Freightliner	Cascadia	1FUJGBD97GLHH8350	\$ 133	3/24/23	23 \$ 3,059			524
1043280	2016	Volvo	VNL	4V5NC9UG1GN929894	\$ 133	3/24/23	23 \$ 3,059			3,318
1032529	2016	Kenworth	T6	1NKYD39X7GJ488679	\$ 133	3/28/23	27 \$ 3,591			1,061
1034094	2014	Volvo	VNL	4V5NC9UG0EN147096	\$ 133	3/15/23	14 \$ 1,862			216
1044912	2016	Volvo	VNL	4V5NC9UGXGN929876	\$ 133	3/15/23	14 \$ 1,862			428
1044916	2016	Volvo	VNL	4V5NC9UG4GN929873	\$ 133	3/15/23	14 \$ 1,862			888
1038076	2016	Freightliner	Cascadia	1FUJGHD9XGLHH8278	\$ 133	3/15/23	14 \$ 1,862			1,528
1029558	2015	Freightliner	Cascadia	1FUJGBD92FLFY2657	\$ 133	3/16/23	15 \$ 1,995			312

Section total: \$ 82,810

**Purchased Trucks—Purchase Price Received**

MAFS Unit #	Make	Model	VIN	Daily Rental Rate	Date Funded	Days from 3/1/23 to Funding	Total Rental Payment Due	Notes	3/1/23-3/24/23 Miles Driven per Samsara
1047928	2022	Ford	F-650	1FDNF6AN1NDF08913	\$ 153	3/15/23	14 \$ -	Arrived @ auction 2/28/23	Yes, Funded 3/15/23
1040650	2021	Ford	F-650	1FDNF6AN0MDF07590	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047916	2022	Ford	F-650	1FDNF6AN0NDF08899	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047907	2022	Ford	F-650	1FDNF6AN0NDF08918	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047910	2022	Ford	F-650	1FDNF6AN1NDF08927	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047908	2022	Ford	F-650	1FDNF6AN2NDF08922	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047719	2022	Ford	F-650	1FDNF6AN2NDF08936	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047725	2022	Ford	F-650	1FDNF6AN4NDF08923	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047919	2022	Ford	F-650	1FDNF6AN4NDF08937	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23
1047912	2022	Ford	F-650	1FDNF6AN5NDF08901	\$ 153	3/15/23	14 \$ 2,142		Yes, Funded 3/15/23

1047866	2022	Ford	F-650	1FDNF6AN5NDF08915	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1047715	2022	Ford	F-650	1FDNF6AN5NDF08932	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	1,571
1047914	2022	Ford	F-650	1FDNF6AN6NDF08910	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1047915	2022	Ford	F-650	1FDNF6AN7NDF08916	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	3,241
1047917	2022	Ford	F-650	1FDNF6AN7NDF08933	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1047911	2022	Ford	F-650	1FDNF6AN8NDF08908	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1047868	2022	Ford	F-650	1FDNF6ANXNDF08893	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1047913	2022	Ford	F-650	1FDNF6ANXNDF08909	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	958
1045052	2022	Ford	F-650	1FDNX6AN3NDF05279	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	
1045050	2022	Ford	F-650	1FDNX6AN4NDF05274	\$ 153	3/15/23	14	\$ 2,142	Yes, Funded 3/15/23	844
1029556	2015	Freightliner	Cascadia	1FUJGBD97FLFY2654	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	1,802
1042251	2015	Freightliner	Cascadia	1FUBGAD92FLFX6730	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	2,757
1029552	2014	Freightliner	Cascadia	1FUBGAD93ELFW1717	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	4,731
1042203	2015	Freightliner	Cascadia	1FUBGAD95FLFX6737	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	4,400
1042204	2015	Freightliner	Cascadia	1FUBGAD97FLFX6741	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	6,635
1028484	2016	Volvo	VNL	1FUJGBD92GLHE4025	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	4,322
1029553	2015	Freightliner	Cascadia	1FUJGBD94FLFY2658	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	4,664
1028861	2015	Freightliner	114sd	1FUJGBD96FLFY2662	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	5,223
1028620	2015	Freightliner	Cascadia	1FUJGBD9XFLFY2647	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	3,385
1042211	2014	Freightliner	Cascadia	1FUBGAD96ELFP0587	\$ 133	3/22/23	21	\$ 2,793	Yes, funded 3/22/23	2,820

**Section total: \$ 68,628**

**Total for Trucks  
Returned,  
Retrieved or  
Purchased:**

**\$ 151,438**

**EXHIBIT C**

**EXHIBIT C-TRUCKS STILL BEING USED**

MAFS Unit #	Make	Model	VIN	Daily Rental Rate	Date Returned or Funded	Days from 3/1/23 to Return or Funding	Total Rental Payment Due	Notes	3/1/23-3/24/23 Miles Driven per Samsara
1042201	2015	Freightliner	M2	1FVAHFDX5FHGR8341	\$ 153	37	\$ 5,661	Dealer Sale Pending - Awaiting Funds	4,559
1042374	2004	Freightliner	F180	1FVABXB594HM67039	\$ 153	37	\$ 5,661	Dealer Sale Pending - Awaiting Funds	
1037212	2016	Freightliner	Cascadia	1FUJGHD94GLHH8292	\$ 133	37	\$ 4,921	Dealer Sale Pending - Price Negotiation	
1037217	2016	Freightliner	Cascadia	1FUJGBD93GLHH8331	\$ 133	37	\$ 4,921	Dealer Sale Pending - Price Negotiation	3,101
1038224	2016	Freightliner	Cascadia	1FUJGBD9XGLHH8343	\$ 133	37	\$ 4,921	Dealer Sale Pending - Price Negotiation	4,920
1060768	2016	Kenworth	T8	1NKDD39X6GJ471211	\$ 133	37	\$ 4,921	Dealer Sale Pending - Awaiting Funds	
1036985	2016	Kenworth	T6	1NKYD39X8GJ116624	\$ 153	37	\$ 5,661	Stolen-Located	
1023347	2017	Trailer	Quantum	118796X1	\$ 153	37	\$ 5,661	Counter offer of \$40K	
1041128	2014	Freightliner	M2	1FUJGBD93ELFW7972	\$ 153	37	\$ 5,661	At Hyliion-Awaiting Firm Offer	
				\$ 1,297		Section total:	\$ 47,989		

**EXHIBIT D**

**EXHIBIT D-STOLEN VEHICLES**

<b>MAFS Unit #</b>	<b>Make</b>	<b>Model</b>	<b>VIN</b>	<b>Daily Rental Rate</b>	<b>Date Returned or Claim Filed</b>	<b>Days from 3/1/23 to Return or Filing</b>	<b>Total Rental Payment Due</b>	<b>Notes</b>	<b>3/1/23- 3/24/23 Miles</b>
1039957	2013	Freightliner	M2	1FUBC5DX6DHF85135	\$ 153	37	\$ 5,661	Stolen	
1042212	2015	Freightliner	Cascadia	1FUBGAD9XFLFX6734	\$ 153	37	\$ 5,661	Stolen	
1041042	2015	Freightliner	Cascadia	1FUJGBD98FLGR9532	\$ 153	37	\$ 5,661	Stolen	
1040615	2015	Freightliner	Cascadia	1FUJGBD95FLGV4225	\$ 153	37	\$ 5,661	Stolen	
				\$ 612		<b>Section total:</b>	<b>\$ 22,644</b>		